

## PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: January 21, 2015

CALLED TO ORDER: 5:32 p.m.

ADJOURNED: 8:29 p.m.

### ATTENDANCE

#### Attending Members

Mary Moriarty Adams, Chair  
Stephen Clay  
Aaron Freeman  
Frank Mascari  
William Oliver  
Leroy Robinson  
Christine Scales  
Joseph Simpson

#### Absent Members

Benjamin Hunter  
Marilyn Pfisterer

PROPOSAL NO. 345, 2014 - reappoints Regina Marsh to the Board of Public Safety  
"Do Pass" Vote: 8-0

PROPOSAL NO. 383, 2014 - reappoints Brian Tuohy to the Marion County Public  
Defender Board  
"Do Pass" Vote: 8-0

PROPOSAL NO. 387, 2014 - appoints Rick Scott to the Juvenile Detention Center  
Advisory Board  
"Do Pass" Vote: 8-0

PROPOSAL NO. 403, 2014 - appoints Elizabeth Henning Byfield to the Metropolitan  
Police Department Merit Board  
"Do Pass" Vote: 8-0

PROPOSAL NO. 17, 2015 - reappoints Pamela Hickman to the Early Intervention Planning  
Council  
"Do Pass" Vote: 8-0

PROPOSAL NO. 18, 2015 - reappoints Linda Hogan to the Early Intervention Planning  
Council  
"Postpone" until February 18, 2015 Vote: 7-0

PROPOSAL NO. 19, 2015 - reappoints Mary McDermott Lang to the Early Intervention Planning Council  
“Strike”

Vote: 7-0

PROPOSAL NO. 20, 2015 - reappoints Marilyn Pfisterer to the Early Intervention Planning Council

“Postpone” until February 18, 2015

Vote: 7-0

PROPOSAL NO. 21, 2015 - appropriates \$202,730 in the 2015 Budget of the Marion Superior Courts (Federal Grants and Drug Free Community Funds) to cover personnel assigned to the Veterans Treatment, Re-Entry, and Drug Treatment Courts, funded by the Justice Assistance Grant and Drug Free Marion County  
“Do Pass”

Vote: 8-0

PROPOSAL NO. 22, 2015 - appropriates \$12,930,158 in the 2015 Budgets of Marion Superior Court, Marion County Sheriff, Community Corrections, Marion County Prosecutor, Public Defender Agency, Forensic Services Agency, Marion County Coroner, and the Department of Public Safety, IMPD and Animal Care and Control Divisions (IMPD General, Public Safety Income Tax, Consolidated County, County General and Guardian Ad Litem Funds) for various public safety initiatives

“Postpone” until February 18, 2015

Vote: 5-1

## PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, January 21, 2015. Chair Mary Moriarty Adams called the meeting to order at 5:32 p.m. with the following members present: Stephen Clay, Aaron Freeman, Frank Mascari, William Oliver, Christine Scales, and Joseph Simpson. Councillor Leroy Robinson arrived shortly thereafter. Councillors Benjamin Hunter and Marilyn Pfisterer were absent. Council Chief Financial Officer, Bart Brown and Fiscal and Policy Analyst, Ryan Kramer represented Council staff.

Chair asked for consent to rearrange the agenda. Consent was given.

PROPOSAL NO. 18, 2015 - reappoints Linda Hogan to the Early Intervention Planning Council

Chair Moriarty Adams stated that Ms. Hogan is unable to attend the meeting and suggested that the committee postpone her reappointment.

Councillor Oliver moved, seconded by Councillor Simpson, to "Postpone" Proposal No. 18, 2015, until February 18, 2015. The motion carried by a vote of 7-0.

PROPOSAL NO. 19, 2015 - reappoints Mary McDermott Lang to the Early Intervention Planning Council

Chair Moriarty Adams stated that Ms. McDermott Lang is unable serve another term and suggested the committee to strike the proposal.

Councillor Clay moved, seconded by Councillor Scales, to "Strike" Proposal No. 19, 2015. The motion carried by a vote of 7-0.

PROPOSAL NO. 20, 2015 - reappoints Marilyn Pfisterer to the Early Intervention Planning Council

Chair Moriarty Adams stated that Councillor Pfisterer is unable to attend the meeting and suggested that the committee postpone her reappointment.

Councillor Simpson moved, seconded by Councillor Oliver, to "Postpone" Proposal No. 20, 2015, until February 18, 2015. The motion carried by a vote of 7-0.

PROPOSAL NO. 345, 2014 - reappoints Regina Marsh to the Board of Public Safety

Chair Moriarty Adams stated that Ms. Marsh has not arrived to the meeting and suggested that the committee postpone her reappointment.

Councillor Oliver moved, seconded by Councillor Simpson, to "Postpone" Proposal No. 345, 2014, until February 18, 2015. The motion carried by a vote of 7-0.

[Clerk's note: Councillor Robinson arrived at 5:36 p.m.]

PROPOSAL NO. 383, 2014 - reappoints Brian Tuohy to the Marion County Public Defender Board

Mr. Tuohy stated that he has been a practicing attorney since 1983 and was originally appointed to the board several years ago. He stated that the board is well represented by Jimmie McMillian, adding that Chief Public Defender, Robert Hill, does a fine job running the Marion County Public Defender Agency (MCPDA). Mr. Tuohy stated that the board has adopted policies and procedures that advance its cause and he has enjoyed his ability to serve.

Councillor Simpson moved, seconded by Councillor Oliver, to send Proposal No. 383, 2014, to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 387, 2014 - appoints Rick Scott to the Juvenile Detention Center Advisory Board

Mr. Scott stated that he has worked in public service for over 30 years and enjoys being a mentor to the youth in his church. He stated that believes in working with youth before they make choices that can cause them to enter into the Juvenile Detention Center, adding that he is interested in working on the root cause of why youth enter into juvenile detention.

Councillor Oliver asked Mr. Scott if he is familiar with the alternatives to juvenile detention. Mr. Scott stated that this will be his first term serving on the board and is not yet familiar with the board's policies and procedures.

Chair Moriarty Adams called for public testimony.

Gail Jontz, citizen, encouraged the appointment of Mr. Scott.

Councillor Simpson moved, seconded by Councillor Oliver, to send Proposal No. 387, 2014, to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 403, 2014 - appoints Elizabeth Henning Byfield to the Metropolitan Police Department Merit Board

Ms. Henning Byfield stated that she has lived in Indianapolis for over 40 years and has been active in various areas of the community. She stated that she has worked with several individuals within the public sector, as well as the Indianapolis Metropolitan Police Department (IMPD), to ensure that there is balance between IMPD and the community. She added that she brings a wealth of experience to the board.

Councillor Clay stated that Ms. Henning Byfield brings great credibility and credential to the board and has his support.

Councillors Simpson and Oliver also spoke in support of Ms. Henning Byfield's appointment.

Councillor Clay moved, seconded by Councillor Oliver, to send Proposal No. 403, 2014, to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 17, 2015 - reappoints Pamela Hickman to the Early Intervention Planning Council

Councillor Hickman stated that this will be her third year serving with the Early Intervention Planning Council (EIPC) and has past experience teaching early childhood and special education. She stated that she has been an advocate of EIPC and would like to continue serving on the board.

Councillor Simpson moved, seconded by Councillor Oliver, to send Proposal No. 17, 2015, to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

Chair Moriarty Adams asked for a motion to reconsider Regina Marsh reappointment, as she has arrived to the meeting. Councillor Oliver moved, seconded by Councillor Robinson, to reconsider Proposal No. 345, 2014. The motion carried by a vote of 8-0.

PROPOSAL NO. 345, 2014 - reappoints Regina Marsh to the Board of Public Safety

Ms. Marsh stated that she is going into her fourth year serving on the board. She stated that it has been a challenge learning and understanding the process of purchasing. It is unclear as to whom the board should contact in Purchasing, as well as how they are able to make purchases that have been approved. She added that she would like to see more contracts for minorities, women and veterans.

Chair Moriarty Adams asked Ms. Marsh if she has met with Purchasing to voice her concerns. Ms. Marsh stated that she has not had the opportunity, but is open to meeting with someone.

Councillor Robinson asked how the purchasing process works. Ms. Marsh stated that the Purchasing department sends her the name of the approved vendors, adding that the board does not get a list of the vendors, and are not afforded the opportunity to choose them. Councillor Robinson asked Bart Brown, Council Chief Financial Officer (CFO), to explain the bidding process. Mr. Brown stated that Purchasing will review bids from the various vendors, choose the vendor that they feel will best serve the contract, and then they will send the selected vendor to the board. Councillor Robinson asked if the board is allowed to see the list of vendors before the selection is made. Mr. Brown affirmed, stating that the board will need to make the request with Purchasing.

Councillor Clay asked if there is a process that is taken when the board decides they do not want to use the selected vendor. Ms. Marsh stated that the board has previously tabled a contract due to costs or lack of information.

Councillor Simpson recommend meeting with the head of the Board of Public Safety to discuss the issues presented. Chair Moriarty Adams also suggested hearing from Office of Finance and Management (OFM), Purchasing, and the head of the Board of Public Safety to respond to the issues at a future committee meeting.

Councillor Clay moved, seconded by Councillor Oliver, to send Proposal No. 345, 2014, to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 21, 2015 - appropriates \$202,730 in the 2015 Budget of the Marion Superior Courts (Federal Grants and Drug Free Community Funds) to cover personnel assigned to the Veterans Treatment, Re-Entry, and Drug Treatment Courts, funded by the Justice Assistance Grant and Drug Free Marion County

Lisa Bentley, Assistant Director of Finance, Marion Superior Court (MSC), stated that the proposal will fix technical issues that developed with PeopleSoft during the 2015 Budget process. The proposal appropriates grants that have already been received, including the amendment to the 2015 Budget. The grants were awarded during the last quarter of 2014 and will affect the Veterans Treatment, Re-Entry, and Drug Treatment Courts, as well as the Drug Free Community Fund.

Mr. Brown asked whether MSC has been able to use other appropriations to get through the first payroll of the year. Sue Patterson, MSC Director of Finance, affirmed.

Councillor Simpson asked Jose Salinas, MSC Judge, how the appropriation will help his courts. Judge Salinas stated that it will help pay the salaries of the 50 case managers.

Councillor Scales asked Judge Salinas to give a brief synopsis of what goes on in the Re-Entry Court. Judge Salinas stated that the Re-Entry Court was established in 2005 due to a need to provide assistance to people leaving the Indiana Department of Corrections (DOC) and reentering the community. He stated that he believes the re-entry approach is a better alternative to probation; however, it costs more, due to its intensiveness.

Councillor Simpson moved, seconded by Councillor Scales, to send Proposal No. 21, 2015, to the full Council with a “Do Pass” recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 22, 2015 - appropriates \$12,930,158 in the 2015 Budgets of Marion Superior Court, Marion County Sheriff, Community Corrections, Marion County Prosecutor, Public Defender Agency, Forensic Services Agency, Marion County Coroner, and the Department of Public Safety, IMPD and Animal Care and Control Divisions (IMPD General, Public Safety Income Tax, Consolidated County, County General and Guardian Ad Litem Funds) for various public safety initiatives

Matt Kimmick, Interim Controller, OFM, stated that the proposal appropriates the additional Public Safety Income Tax (PST) dollars that have been received due to the rate increase that was approved by the Marion County Income Tax Council. He added that each agency will speak to their proposed appropriation.

Chair Moriarty Adams welcomed the Marion Superior Court (MSC).

Ms. Patterson stated that during the budget process, MSC needed roughly \$1.2 million for salaries; however, it was not included in the introduced budget. She stated that their portion of the proposal gives them \$1.693 million, which allows all full-time equivalent (FTE) employees to be fully funded outside of the 27<sup>th</sup> pay for 2015. The additional funding will be used to fund the Guardian Ad Litem (GAL) Fund.

Councillor Freeman asked Mr. Kimmick to explain the rationale behind how the revenue from the PST was divided. Mr. Kimmick stated that the City of Indianapolis and Marion County received approximately \$27 million from the PST. The City received \$16 million and the County received \$11 million. Of the \$16 million, \$7.1 million is being appropriated to fund 115 additional IMPD officers. Once those dollars were allocated, OFM, Council leadership and the Council CFO reviewed the requests for additional funding, and allocated the funds accordingly.

Councillor Simpson stated that the Council knew during the 2015 Budget process that the agencies would return before the respective committees to request additional funding once the budget process ended. He stated that supports the passage of the proposal, as it helps agencies fill financial needs.

[Clerk's note: Councillors Hunter and Oliver left at 6:37 p.m.]

Chair Moriarty Adams then welcomed the Marion County Sheriff's Office (MCSO).

Colonel Louis Dezelan stated that \$7.56 million of the proposal will affect MCSO. Of that, \$6.7 million is not new funding; rather it funds the budget that has already been passed. It is a reallocation from the County General Fund. The additional \$1.1 million will fund benefit and retiree costs, and the salaries of deputies, civilians and detention deputies.

Chair Moriarty Adams then welcomed the Marion County Community Corrections (MCCC).

John Deiter, Executive Director, MCCC, stated that MCCC was placed on probation by DOC in June, 2014, due to the lack of field visits. Because of the appropriation from the 2015 budget, MCCC went from conducting only nine home visits in January, 2014, to conducting 1,089 home visits in November, 2014. He stated that their goal is to continue to conduct a higher number of visits throughout the year. He then introduced Myra Ross, CFO for MCCC, and Jennifer Gray, Deputy Director of Programming for MCCC.

Ms. Gray stated that MCCC will receive \$630,361 of the proposed appropriation, which will provide funding for a Chief Deputy Director, six community supervision managers, one risk assessment administrator, offices supplies and fuel costs, as well as additional medical costs, increased Information Services Agency (ISA) costs and increases to the offender bed contract. Ms. Ross stated that the amendment requests to add two Alerts Specialists and an Evening Monitor, as stated in Exhibit A.

Councillor Simpson moved, seconded by Councillor Clay, to send “Amend” Proposal No. 22, 2015, as stated in Exhibit A. The motion carried by a vote of 6-0.

Chair Moriarty Adams then welcomed the Marion County Prosecutor’s Office (MCPO).

Laurel Judkins, Chief Counsel, MCPO, stated that the \$735,267 that is being appropriated was previously requested in the 2015 proposed budget and will allow the agency to continue its daily operations.

Chair Moriarty Adams then welcomed the Marion County Public Defender Agency (MCPDA).

Deborah Green, Chief Operating Officer (COO), MCPDA, stated that the appropriation of \$273,038 will be used to restore the agency’s 2014 levels. Aaron Atwell, Financial Manager, MCPDA, stated that \$208,000 is a cut from the 2014 budget, and an additional \$65,000 is being requested to fund a Terminating Parental Rights/Child In Need of Services (TPR/CHINS) attorney due to an increase in filings for TPR/CHINS.

Chair Moriarty Adams asked where the funding will be placed. Mr. Atwell stated that the fully fund their Character 01 model.

Chair Moriarty Adams then welcomed the Marion County Forensic Services Agency (MCFSA).

Larry Schultz, Deputy Director, MCFSA, stated that the agency is seeking an appropriation of roughly \$520,000, which will be used to hire additional crime scene specialists, purchase supplies, and cover the cost of various services.

[Clerk’s note: Councillor Robinson left at 7:06 p.m.]

Chair Moriarty Adams then welcomed the Marion County Coroner’s Office.

Alfie Ballew, Chief Deputy Coroner, Coroner’s Office, stated that in December, 2014, she sent a memo to the Councillors requesting \$121,760 to purchase new vehicles for the agency. In total, the agency is requesting \$216,442 to cover field investigations, pathology and toxicology services, as well as to cover the costs replacement vehicles. She stated that because the agency is deteriorating, they are looking to purchase eight Chevrolet Volt electric vehicles.

Councillor Simpson asked the number of heroin-related deaths in 2014. Ms. Ballew stated that she has not received the final report, but will submit it to the Council once it becomes available.



Councillor Mascari stated that the agency should check into another vehicle, as the Volt can be costly.

Councillor Clay asked if the Volt will fit the needs of the agency. Ms. Ballew affirmed.

Councillor Freeman stated that the agency needs to request the type of vehicle that is truly needed, rather than accept the only vehicle that is being offered.

Mr. Kimmick stated that the agency will need to pay \$5,000 for each vehicle, adding that the agency will then be required to pay a \$28 daily rental fee for each vehicle, which incorporates maintenance and fuel costs.

Chair Moriarty Adams asked if the vehicles are capable of transporting decedents. Ms. Ballew stated that a removal service is responsible for transporting decedents. She added that the agency requested a van to transport larger decedents; however, that request was denied due to a lack of funding.

Chair Moriarty Adams then welcomed the Marion County Clerk's Office (MCCO).

Myla Eldridge, County Clerk, MCCO, stated that the agency is requesting \$200,000 for personnel costs and postage. She stated that out of the \$200,000, \$175,000 will be used to pay the salaries of their current staff; and \$25,000 will be used to pay for postage, as it is the Clerk's statutory duty to pay for mailings sent to parties of law suits, jury summons, and court notifications.

Chair Moriarty Adams then welcomed the Indianapolis Metropolitan Police Department.

Bryan Roach, Deputy Chief, IMPD, stated that IMPD is requesting roughly \$7.1 million from the PST to cover the cost of 115 police officers. The appropriation will help fund two recruit classes in 2015, which will consist of 60 to 65 recruits in May and 40 to 45 recruits in October or November. The cost is an estimate of roughly \$125,000 per officer, which includes training, equipment, and salaries. The appropriation allows the department to compensate for its attrition rate, as well as increase the number of officers.

Councillor Freeman asked how many recruits go through the academy each year. Deputy Chief Roach stated that roughly 140 recruits go through the academy each year. Councillor Freeman stated that hiring 115 officers instead of 140 is beyond maddening.

Chair Moriarty Adams asked Deputy Chief Roach the number of officers that will retire in 2015. Deputy Chief Roach stated that he does not have the exact amount; however, the average is 47 officers per year. Chair Moriarty Adams asked if the net gain of officers includes the 115 new officers. Deputy Chief Roach responded in the negative, stating that the net gain is 68 officers.

Councillor Simpson asked what is done with the funding when officers retire. Deputy Chief Roach stated that \$5 million was budgeted in anticipation of numerous retirees in order to hire 50

new officers. Councillor Simpson stated that the Council agreed to raise the PST in order the provide funding to hire more officers, not pay for replacing retirees or other officers who have left the department. He stated that 115 officers need to be hired, in addition to the 47 officers that need to be replaced.

Chair Moriarty Adams asked Mr. Kimmick to discuss the property tax revenues. Mr. Kimmick stated that the property tax do not affect the City. He added that the appropriated \$7.1 million will only be used to hire the 115 new officers. Councillor Simpson stated that the proposal is not honest, because the 47 officers that are expected to leave the department are not being replaced. He stated that the proposal is misleading to taxpayers.

Councillor Freeman stated that he does not agree with allocating money to other agencies when the money should be used to hire and replace IMPD officers. He suggested that the committee postpone the proposal to allow more time to discuss the needs of IMPD.

Chair Moriarty Adams then welcomed Animal Care and Control (ACC).

Dennis Papenmeier, Chief, ACC, stated that the agency is requesting an additional appropriation of \$500,000 to cover costs for additional staffing, which will consist of certified veterinarian technicians, animal care technicians, and upgrading the full-time veterinarian position. The appropriation will also cover costs associated with food, medical supplies, kennel management training, and additional veterinarian contractual services.

Councillor Scales asked if the ACC efficiency team has given a dollar amount related to the needs of the agency. Chief Papenmeier stated that the team gives a series a recommendations; however, DPS and ACC met to add dollar amounts to as many of the recommendations as possible, which is approximately \$1.5 million to-date.

Councillor Freeman moved, seconded by Councillor Simpson, to "Postpone" Proposal No. 22, 2015, until February 18, 2015. The motion carried by a vote of 5-1, with Councillor Mascari casting the negative vote.

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 8:29 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chair  
Public Safety and Criminal Justice Committee